

Transcript of the Testimony of  
**RONALD BREGMAN**

**Date:** March 6, 2006

**Case No.:** CV04-00428

**Case:** POWELL v. CITY & COUNTY OF HONOLULU

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**EXHIBIT** “//”

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1 point. I just remember having to swim this way  
 2 (indicating) a distance, and going out this way. The ski  
 3 actually went past me, and I could see them.  
 4 Q. Do you have enough of a recollection to put a red  
 5 mark where you saw the body?  
 6 A. Approximate?  
 7 Q. You can do like a circle in sort of the area.  
 8 A. Sure. I could do that (indicating).  
 9 Q. This is in the Witches Brew area?  
 10 A. Yes.  
 11 Q. When you saw the body in the water, what position  
 12 was in the body in?  
 13 A. By the time I got to the body, it was partially  
 14 on to the sled.  
 15 Q. The "sled," meaning the back of the jet ski?  
 16 A. The back of the jet ski. The sled hooks on the  
 17 back of the jet ski.  
 18 Q. You didn't see the body floating --  
 19 A. No. No, I didn't.  
 20 Q. Did you assist with getting the body on to the  
 21 sled?  
 22 A. Yes. Yes, I did.  
 23 Q. Backing up to the first rescue, was the jet ski  
 24 sent out, as well?  
 25 A. No.

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1 Q. So it was just the second one?  
 2 A. Yes.  
 3 Q. So once the body was put on to the jet ski, then  
 4 what do you recall?  
 5 A. We just brought the body into the beach. And as  
 6 soon as we reached the beach, there were other lifeguards  
 7 who started CPR.  
 8 Q. Do you remember who they were?  
 9 A. I just remember Shawn Chun. And I think Neves.  
 10 I'm not sure who else.  
 11 Q. And what were you doing at that point?  
 12 A. At that point, I was making sure that the second  
 13 ambulance was on the way. And that they had been notified.  
 14 And there was a -- I remember there was a big crowd, and I  
 15 was trying to assist with trying to keep people back, so  
 16 that we could try to resuscitate.  
 17 And I remember there was a lady, and she was  
 18 pretty distraught. And I know there was a park attendant  
 19 trying to help. But she was having a hard time.  
 20 Q. Have you come to learn that this is Katie Powell?  
 21 A. Yes. And then I remember she was -- at one  
 22 point, she got real despondent, almost like she was going  
 23 into shock. And so I remember asking, when the paramedics  
 24 came, I remember asking that they should look at her and  
 25 maybe she should go with them, because she might need

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1 medical attention also. And I don't remember too much more  
 2 than that.  
 3 Q. Did you speak with her about the events leading  
 4 to her husband and brother leaving to swim?  
 5 A. I never spoke to her. Never.  
 6 Q. You just observed her?  
 7 A. Yes.  
 8 Q. What procedures, or what did you do after the  
 9 paperwork and that type of --  
 10 A. After? I remember just going through the  
 11 checking equipment again and trying to do the paperwork for  
 12 the second case, complete it.  
 13 And there was media in the area. And a Fire  
 14 Department spokesman came down and wanted to know, because  
 15 they had responded also. And they were going to make some  
 16 media statements and wanted to get briefed.  
 17 The chief was there. And he listened to what I  
 18 said, the fire spokesman. It was Richard Soo at the time.  
 19 And he told me to go home, something like take the rest of  
 20 the day off.  
 21 Q. Richard Soo told you that?  
 22 A. No, no. The chief. Chief Howe.  
 23 Q. I would imagine drownings are traumatic for  
 24 lifeguards as well, right?  
 25 A. Pretty traumatic, yeah. Any time, it's

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1 traumatic.  
 2 Q. Do you recall the number of people who were at  
 3 Hanauma Bay that day? Whether it was a crowded day?  
 4 A. All I can remember is it being an average day.  
 5 Q. And "average" meaning about how many people, if  
 6 you know?  
 7 MR. MAYESHIRO: Calls for speculation.  
 8 A. When I was working there, an average day is 1,500  
 9 to 2,000 people.  
 10 Q. Do you know whether, since that time, July 2002,  
 11 there's been any change in the number of lifeguards who man  
 12 Hanauma Bay?  
 13 A. Yes. There has been a change.  
 14 Q. And what is that change?  
 15 A. There's six lifeguards stationed.  
 16 Q. And where are they stationed?  
 17 A. Three at 3 Alpha and three at 3 Bravo.  
 18 Q. Do you know when that changed?  
 19 A. I don't recall.  
 20 Q. Do you know whether -- is a jet ski still sort  
 21 of roaming?  
 22 A. Mobile, yes.  
 23 Q. Do you recall when you went, on either occasion,  
 24 the first body or the second body, whether there were other  
 25 swimmers in that area of Witches Brew?

18 (Pages 69 to 72)